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 15
 16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA
 18 SAN FRANCISCO DIVISION

| | | |
|------------------------------|---|-----------------------------|
| 19 UNITED STATES OF AMERICA, |) | CR No.: CR No. 07-0012 MEJ |
| 20 Plaintiff, |) | STIPULATION AND [PROPOSED] |
| 21 v. |) | <u>ORDER EXCLUDING TIME</u> |
| 22 KANESHAEIA BOYD, |) | |
| 23 Defendant. |) | |

24 On February 6, 2007, the parties in this case appeared before the Court and stipulated that
 25 time should be excluded from the Speedy Trial Act calculations from February 6, 2007 to
 26 February 27, 2007 for effective preparation of defense counsel to review the discovery for the
 27 case and consult with the defendant. The parties represented that granting the continuance was
 28 the reasonable time necessary for effective preparation of both defense counsel and the United
 States, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv).

1 The parties also agreed that the ends of justice served by granting such a continuance
 2 outweighed the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. §
 3 3161(h)(8)(A).

4 SO STIPULATED:

5 KEVIN V. RYAN
 6 United States Attorney

7 DATED: 02/06/07 /s/ Derek R. Owens

8 DEREK R. OWENS
 9 Special Assistant United States Attorney

10 DATED: 02/07/07 /s/ Steve Kalar

11 STEVE KALAR
 12 Attorney for Defendant

13 As the Court found on February 6, 2007, and for the reasons stated above, the Court finds
 14 that the ends of justice served by the continuance outweigh the best interests of the public and
 15 the defendant in a speedy trial and that time should be excluded from the Speedy Trial Act
 16 calculations from February 6, 2007 to February 27, 2007 for effective preparation of defense
 17 counsel and the United States. See 18 U.S.C. §3161(h)(8)(A). The failure to grant the
 18 requested continuance would deny counsel reasonable time necessary for effective preparation
 19 and continuity of counsel, taking into account the exercise of due diligence, and would result in a
 miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

20 SO ORDERED.

21 DATED: 2-08-07

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 23 MARIÁ-ELENA JAMES
 24 United States Magistrate Judge